IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CRIMINAL JURISDICTION

CRIMINAL WRIT PETITION NO.792 OF 2006

Arvind Birendra Singh .... Petitioner

versus

The State of Maharashtra ... Respondent

Mr.O.A.Siddique, Advocate for Petitioner

Ms.Aruna Kamath, A.P.P.for Respondent

CORAM : J.N.PATEL AND

SMT.ROSHAN DALVI, JJ

DATED : 16th August, 2006

ORAL ORDER :

1. This is a petition seeking quashing of the F.I.R. bearing No. 778 of 2005 of Oshiwara Police Station and for seeking ancilliary reliefs in the nature of release of property attached during the

course of investigation as specifiied in Schedule Exhibit C and so on. We are informed by the learned A.P.P that in this case, the police has already filed a charge sheet in the Court of the Additional Chief Metropolitan Magistrate, 22nd Court, Andheri, Mumbai and the same is registered as Criminal case No.903/PW.2006,

2. In view of the fact that the petitioner is being prosecuted for the offences which are triable as a warrant case, it will be open for the petitioner to move the trial Court for seeking a discharge. Therefore, we are not inclined to entertain this petition and the same is dismissed.

(Smt Roshan Dalvi,J) **(J.N.Patel, J)**